

Freedom of the Press

Georgia has the freest and most diverse media in the region, though political polarization and the close nexus between media companies and politicians have historically plagued the industry. In September 2013, Prime Minister Bidzina Ivanishvili closed the television channel TV9, which he had launched in 2012 as a mouthpiece of the Georgian Dream political coalition, citing an unwillingness to continue funding the channel and failed attempts to attract a new owner. After Georgian Dream candidate Giorgi Margvelashvili won the presidential election in October 2013, Ivanishvili resigned from both the premiership and Georgian Dream, signaling an intent to exit politics. His successor, Irakli Gharibashvili, has no clear ties to broadcast media. A package of amendments to the Law on Broadcasting passed in May, ushering in a permanent “must carry/must offer” requirement for cable providers, revisions to the governance structure of the public broadcaster, and measures for increasing transparency in media advertising.

The constitution protects media freedom, and Georgia has some of the most progressive legislation in the region. Article 19 of the 1995 constitution and the Law on Freedom of Speech and Expression contain protections against censorship. Legal cases are rarely brought against journalists, and the internet is not currently subject to government regulation. However, legislation is at times slowly implemented, and enforcement is occasionally determined by political concerns. The government decriminalized libel in 2004 as part of an effort to bring Georgian media law into line with European standards. The May 2013 amendments to the Law on Broadcasting expanded the mandate of the “must carry/must offer” rule beyond preelection periods and established it as a permanent fixture in Georgian media legislation. The rule obliges cable operators to carry all television stations, preventing politicized suppression of certain channels.

After the country adopted freedom of information legislation in 1999, government officials, particularly local authorities, continued to limit or delay journalists’ access to information. However, the new Georgian Dream government that took power after the 2012 parliamentary elections appeared more responsive to freedom of information requests. A decree signed by Ivanishvili in August 2013 refined regulations governing access to information by requiring certain government agencies to proactively publish documents online and officially accept electronic requests.

The Georgian National Communications Commission (GNCC) regulates and licenses the country’s telecommunications and broadcast media and has been accused of lacking independence from political influence, particularly under the previous United National Movement (UNM) government. The commission’s chair, Irakli Chikovani, was criticized for holding a stake in a wholesale television airtime business during part of his tenure and for continuing to hold a stake in a company that produces and places advertising, including in broadcast media. His extended absence from work, which stretched from November 2012 to April 2013 and constituted a violation of his professional duties, also became a public issue because of its disruption of GNCC activities. Chikovani resigned from his post as chair in April and from the GNCC in July amid calls for his impeachment. Karlo Kvitaishvili was appointed as chair in April, only to be impeached in November for a conflict of interest. At year’s end, Parliament was considering new candidates for the position.

In the past, progovernment outlets were at times allowed to operate without licenses, while enforcement was often rigorous for opposition outlets. In 2011, the GNCC renewed the issuance of broadcast licenses

after a three-year delay, and the Constitutional Court ruled in April 2012 that television stations would no longer require a license to broadcast via cable networks. However, licenses are still required for satellite broadcasts. In December 2013, the International Federation of Journalists raised concerns that broadcast licenses were being unfairly awarded to groups that either included or had close connections to politicians and government officials. Meanwhile, the Georgian Charter of Journalistic Ethics, a self-regulatory body, held discussions throughout the year on improving media accountability and journalistic integrity. In December, the body finally passed an amendment, pending since 2011, to expand its mandate and permit nonmembers to submit complaints of ethics violations.

Political influence over private media, particularly broadcast outlets, from both the opposition and the ruling party has traditionally been a major problem. However, in 2012 new companies appeared on the television market, and political changes brought shifts in ownership of the national broadcasters that appear to have broken partisan relationships with certain outlets. In the run-up to the October 2013 presidential election, media monitors noted that connections between the major broadcast outlets, such as Rustavi-2 and Imedi TV, and political parties and figures were no longer evident. Rather than coordinating coverage along party lines, broadcasters have instead focused on producing competitive editorial content. Nevertheless, truly critical reporting is still lacking.

Despite the country's change in leadership, political influence over the Georgian Public Broadcaster (GPB) remains a concern. Since 2012, the GPB has been a battleground for influence between Georgian Dream and the UNM, culminating in a serious leadership crisis in 2013, with the firing of its director in March and eight vacant positions on its 15-member board. In September, the newly appointed GPB deputy director sacked two political talk-show hosts who were known for their pro-UNM slant. The May amendments to the Law on Broadcasting made key changes to the governance structure of the public broadcaster—which operates television and radio stations—with the aim of resolving the crisis. Previously, members of the board were approved by the president, and GPB's main television channel, 1TV, was widely perceived as biased in favor of the UNM government. The new regulations reduced the size of GPB's board and made appointments more competitive and politically neutral, excluding the president from the process. The changes were set to go into effect on January 1, 2014.

The level of violence and harassment aimed at journalists has been a serious problem in the past, particularly during election periods. However, such incidents were nearly absent in 2013, even during the October presidential election. The Georgian Young Lawyers' Association reported that the environment for journalists had noticeably improved since 2012.

A large number of private print outlets operate in the country and typically enjoy editorial independence, but have very limited circulation. Magazine readership is on the rise, boosted by a newfound interest in serious, analytical reporting. There are 46 radio stations, which provide generally free and independent coverage. Leading television broadcasters include the public GPB and the privately owned Rustavi-2, Imedi TV, Maestro TV, and Kavkasia TV. The expansion of "must carry/must offer" has widened the reach of many channels—especially Kavkasia and Maestro, which have seen notable increases in viewership.

In the past, the allegiances of these stations were to either the UNM or Georgian Dream, but a series of ownership changes after the parliamentary elections in 2012 altered the landscape. Prior to 2012, Imedi TV had been subject to government editorial control through close links between its owners and the UNM government. Two weeks after the elections, the station was inexplicably transferred back to the family of the late former owner—a critic of outgoing UNM-backed president Mikheil Saakashvili—from whom it had been controversially seized in 2007. Not surprisingly, Imedi adopted a generally pro-Georgian Dream orientation during the 2013 presidential election, but this had eased somewhat by year's end. Rustavi-2, the other private station with nationwide coverage, also saw its ownership reshuffled after the elections. Although it remains in the hands of individuals previously linked to the UNM, media monitoring reports

during the 2013 presidential campaign suggest a reduction in political influence on the station's editorial choices. TV9, which Ivanishvili had launched in May 2012 to counter the pro-UNM voices of Imedi TV and Rustavi-2, was finally closed in September 2013 after he was unable to find a buyer. Ivanishvili announced plans to sell the station's equipment to a group of civil society and media representatives, who founded a new channel, Televizia. TV9's frequency was taken over by GDS, a new entertainment-oriented station owned by Bera Ivanishvili, a hip-hop star and son of the prime minister. Meanwhile, the broadcast frequency of the former Russian-language channel of the GPB has been taken over by another newcomer, TV3, which is owned by a former finance minister under Saakashvili; it focuses on business and current-affairs programming.

The lack of transparency in media ownership and property rights, especially for television stations, was partially resolved in 2011 with the adoption of amendments to the Law on Broadcasting that require the full disclosure of ownership structures. The Coalition for Media Advocacy, established by local journalism and human rights organizations, had been actively involved in negotiating the amendments. They also include a ban on the ownership of broadcast media by offshore companies, forcing several television stations to alter their murky ownership arrangements. However, concerns regarding media concentration remain unresolved. Though the law stipulates that individuals and entities are prohibited from owning more than one television or radio license in any one area, no explicit mechanisms are in place to prevent individuals from owning shares in companies that own the broadcast licenses. The May 2013 amendments to the Law on Broadcasting finally resolved the issue of state ownership and support of Adjara TV, establishing the station as a GPB affiliate, no longer under the direction of the autonomous republic of Adjara. The bill also introduced a measure for increasing transparency in advertising revenues, requiring broadcasters to submit annual reports to the GNCC that disclose their sources of funding.

The media do not have a high degree of financial independence. State subsidies in the form of tax amnesties in 2010 and 2012 unfairly benefited stations loyal to the UNM government, allowing Rustavi-2 and Imedi TV to write off tax debts reaching approximately 40 million lari (\$25 million). The advertising market in Georgia continues to be highly politicized. Advertisers favor progovernment media, with critical outlets struggling to sell advertising space and airtime. Print media are especially challenged by a lack of advertising income and financial resources—problems that particularly affect their distribution capacity. Distribution in the capital, Tbilisi, has been further hampered by a 2011 municipal government plan to dismantle many of the existing press kiosks and auction off the rights to install and operate new kiosks. The plan was intended to eventually boost the number of vendor licenses from 250 to 1,000. In the interim, mobile newsstands have begun to appear in some areas, and the Georgian Press Association, which represents leading Tbilisi dailies, joined forces with distributors in an effort to ensure fair and unimpeded distribution.

Approximately 43 percent of Georgians accessed the internet in 2011. While most Tbilisi-based newspapers are not active on the web, regional newspapers have been steadily expanding their online presence, and news websites, such as the independent NetGazeti, Civil.ge, and Media.ge, are recognized for providing balanced coverage. Several television stations are also active on the internet. The web portals of news agencies are widely used for fact-based news, and blogs and social-networking sites are playing a growing role in spreading news and information.

The separatist territories of Abkhazia and South Ossetia are effectively under Russian control. There is little media presence in tiny South Ossetia. Local authorities operate a television station, although most programming is rebroadcast from Russia. There is almost no independent print sector. In Abkhazia, a larger and more ethnically mixed region, the media environment is more diverse. The local population has access to both Russian and Abkhaz television content; Georgian stations are typically available only via satellite. Abkhazia's residents have access to Georgian and Turkish radio, and the territory is home to several private print outlets. Overall, media ownership and coverage is dominated by local authorities.

[The scores for Georgia do not reflect conditions for the media in South Ossetia and Abkhazia, although these separatist territories are covered in the narrative report.]

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

47

Legal Environment

(0 = best, 30 = worst)

12

Political Environment

(0 = best, 40 = worst)

19

Economic Environment

(0 = best, 30 = worst)

16